

House Engrossed

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
First Regular Session  
2007

CHAPTER 42

# **HOUSE BILL 2211**

AN ACT

AMENDING SECTION 25-817, ARIZONA REVISED STATUTES; RELATING TO MATERNITY AND PATERNITY PROCEEDINGS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 25-817, Arizona Revised Statutes, is amended to  
3 read:

4 25-817. Temporary orders; presumption of paternity

5 A. PENDING A JUDICIAL DETERMINATION OF PATERNITY, the court shall  
6 issue a temporary order of support ~~pending a judicial determination of~~  
7 ~~paternity~~, AND MAY ISSUE A TEMPORARY ORDER REGARDING CUSTODY AND PARENTING  
8 TIME, if any of the following applies:

9 1. Genetic testing affirms at least a ninety-five per cent probability  
10 of paternity.

11 2. A notarized or witnessed statement is signed by both parents  
12 acknowledging paternity or separate substantially similar notarized or  
13 witnessed statements are signed acknowledging paternity and filed with the  
14 department of health services pursuant to section 36-334 or filed with the  
15 department of economic security.

16 3. The respondent admits or does not deny paternity in a written  
17 response filed with the clerk of the court.

18 4. There is other clear and convincing evidence as determined by a  
19 court.

20 B. A temporary order ~~of support~~ ISSUED PURSUANT TO THIS SECTION does  
21 not prejudice the rights of a person or child that are adjudicated at  
22 subsequent hearings in the proceeding.

23 C. A temporary order ~~of support~~ ISSUED PURSUANT TO THIS SECTION may be  
24 revoked or modified and terminates when the final support, CUSTODY OR  
25 PARENTING TIME order is entered or when the petition for support, CUSTODY OR  
26 PARENTING TIME is dismissed.

APPROVED BY THE GOVERNOR APRIL 11, 2007.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 2007.